

**DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION***

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

DIHYDROXYL COMPOUNDS AND COMPOSITIONS FOR CHOLESTEROL MANAGEMENT AND RELATED USES

and for which a patent application:

- ☐ is attached hereto and includes amendment(s) filed on (if applicable)
- ☒ was filed in the United States on December 23, 2003 as Application No. 10/743,109 (for declaration not accompanying application) with amendment(s) filed on (if applicable)
- ☐ was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION				
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED	
			YES <input type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

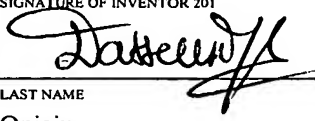

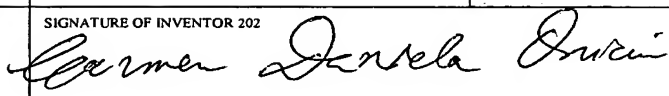
PROVISIONAL APPLICATION NUMBER	FILING DATE
60/441,795	January 23, 2003

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME Dasseux	FIRST NAME Jean-Louis	MIDDLE NAME Henri	
	RESIDENCE & CITIZENSHIP	CITY Brighton	STATE OR FOREIGN COUNTRY Michigan	COUNTRY OF CITIZENSHIP France	
	POST OFFICE ADDRESS	STREET 7898 Huron Oak Drive	CITY Brighton	STATE OR COUNTRY Michigan	ZIP CODE 48116
		SIGNATURE OF INVENTOR 201 		DATE April 30, 2004	
2 0 2	FULL NAME OF INVENTOR	LAST NAME Oniciu	FIRST NAME Carmen	MIDDLE NAME Daniela	
	RESIDENCE & CITIZENSHIP	CITY Ann Arbor	STATE OR FOREIGN COUNTRY Michigan	COUNTRY OF CITIZENSHIP Romania USA 	
	POST OFFICE ADDRESS	STREET 125 Lake Village Drive	CITY Ann Arbor	STATE OR COUNTRY Michigan	ZIP CODE 48103
		SIGNATURE OF INVENTOR 202 		DATE April 30 th , 2004	



POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dasseux et al.

Confirmation No.: 8014

Serial No.: 10/743,109

Art Unit: 1614

Filed: December 23, 2003

Examiner: To be assigned

For: DIHYDROXYL COMPOUNDS AND
COMPOSITIONS FOR CHOLESTEROL
MANAGEMENT AND RELATED USES

Attorney Docket No.: 10173-106-999

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71
WITH STATEMENT UNDER 37 C.F.R. 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Practitioners at Customer Number 20583 all of Jones Day, whose address is 222 East 41st Street, New York, New York 10017, as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Jones Day as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Please direct all correspondence for this application to customer no. 20583.

Esperion Therapeutics, Inc. is the:

- ☐ Applicant/Inventor
☒ Assignee of record of the entire right, title, and interest. See 37 CFR 3.71.
(Statement under 37 CFR 3.73(b) is applicable)

Statement Under 37 C.F.R. 3.73(b)

Esperion Therapeutics, Inc. states that it is:

☒ the assignee of the entire right, title, and interest in the patent application/patent identified above by virtue of:

- ☒ An assignment from the inventors in connection with the above-identified application, for which a copy thereof is attached.
☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: Esperion Therapeutics, Inc.

Date: April 30, 2004 Signature: Roger S. Newton
Typed Name: Roger S. Newton
Position/Title: Exec. Vice President